

Attorney Docket: 22789-XS
Serial No.: 09/134,417

"nerve" can be found in the original specification on page 4, line 16 and page 7, line 2. Basis for the term "related" can be found in the original specification on page 8, line 21; page 9, lines 7 and 13; and generally throughout the specification and claims. Claim 1 has additionally been amended to recite the limitations of canceled dependent claims 2, 3, 5, and 10. With the amendments to claim 1, claims 6-9 are no longer properly dependent on claim 1 and have been made independent.

Basis for the new claims can be found in the original specification as follows:

- "retinal ischemia"-page 92, line 2;
- "degeneration of retinal ganglion cells"-page 92, lines 1-2;
- "degeneration of optic nerve axons"-page 92, line 27;
- "degeneration of myelin sheaths"-page 92, line 27;
- "optic nerve transection"-page 93, lines 12-13;
- "ganglion cell death after optic nerve transection"-page 93, lines 12-13;
- "myelin degeneration after optic nerve transection"-page 93, lines 12-13;
- "diabetes"-page 109, lines 9-10;
- "diabetes from degeneration"-page 109, lines 9-10;
- "macular degeneration"-page 108, line 2;
- "glaucoma related degeneration"-page 108, line 12;
- "cataract related degeneration"-page 108, line 23;
- "diabetic retinopathy"-page 109, lines 9-10;
- "ischemic optic neuropathy"-page 109, line 10;
- "retinal vascular blockage"-page 109, lines 10-11;
- "detached retina"-page 109, line 21;
- "inflammation related degeneration"-page 110, lines 6-7;
- "photoreceptor degeneration"-page 110, line 17;
- "optic neuritis"-page 111, line 2; and
- "dry eye degeneration"-page 111, line 13.

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Accordingly, entry of the amendments is respectfully requested.

In addition, a Terminal Disclaimer is enclosed herewith as against U.S. Patent No. 5,798,355 solely for the purpose of accelerating the prosecution of the present application.

CONCLUSION

Based upon the above amendments and remarks, the presently claimed subject matter is believed to be enabled and patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and withdraw the rejections of remaining claims 1, 6-9, 21, and 23-24 and allow all pending claims presented herein for reconsideration. Favorable action with an early allowance of the claims pending in this application is solicited.

The Examiner is welcomed to telephone the undersigned attorney if she has any questions or comments.

Respectfully submitted,

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Date: July 14, 2000

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